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Sheet 1 of 1

FORM PTO-1449 (REVISED 7-80) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.	SERIAL NO.
2313	10/677772
APPLICANT: D. SWISTAK ET AL.	
FILING DATE: 10/1/2003	GROUP: 3671

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5890838	1999	MOORE, JR ET AL	405	49	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AL							
	AM							
	AN							
	AO							
	AP							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	"THE MAXIMIZER™ CHAMBER SYSTEM FOR STORMWATER MANAGEMENT, INFILTRATOR SYSTEMS, INC (1995) 4 PAGE BROCHURE
	AS	
	AT	

EXAMINER: [signature] DATE CONSIDERED: 18 Sept. 2007

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FORM PTO-1449 (REV. 7-80) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

6/28/07

ATTY. DOCKET NO.	SERIAL NO.
2313	10/677772
APPLICANT SWISTAK, D ET AL	
FILING DATE 10/1/2003	GROUP 3671

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
DM	1	5890838	1999	MOORE, JR. ET AL.	405	49	
		~~3,226,117~~					
DM	2	4626129	1986	KOTHMANN ET AL	405	43	
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AL							
	AM							
	AN							
	AO							
	AP							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
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	AT	

EXAMINER DM DATE CONSIDERED 18 Sept. 2007

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PTO/SB/08b (07-05)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) 6/28/07

Sheet 2 of 3

Complete If Known	
Application Number	10/677,752
Filing Date	10/1/2003
First Named Inventor	SWISTAK, D
Art Unit	3671
Examiner Name	MAYO, T
Attorney Docket Number	2313

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
TM	1	DECLARATION OF RONALD BROCHURE, 18 DECEMBER 2006 (3) PAGES	
TM	2	"THE MAXIMIZER CHAMBER SYSTEM FOR STORM-WATER MANAGEMENT" INFILTRATOR SYSTEMS, INC. (1995) (4) PAGE BROCHURE	
TM	3	"GROUND WATER AND WELLS" EDWARD E. JOHNSON, INC (1966) PAGES 295-299; COVER PAGE; (6) PAGES TOTAL	

Examiner Signature		Date Considered	18 Sept. 2007

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/08b (04-07)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) 6/28/07

Sheet 3 of 3

Complete If Known	
Application Number	10/677,792
Filing Date	10/1/2003
First Named Inventor	SWISTAK, D
Art Unit	3671
Examiner Name	MAYO, T
Attorney Docket Number	2313

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	1	Notice of Dismissal Pursuant to F.R.C.P. 41(a)(1), April 23, 2007.	
	2	Withdrawal (of Plaintiff's Action), April 23, 2007.	
	3	Withdrawal (of Counterclaim), April 23, 2007.	
	4	Opposition to Defendant's Motion for a Stay, April 20, 2007.	
	5	Defendant's Memorandum of Law in Support of Its Motion In Limine to Preclude Testimony Regarding Defendant's Chapter 11 Bankruptcy Filing and the Maximizer Product, April 16, 2007.	
	6	Omitted	
	7	Motion for Protective Order to Preclude David A. Potts from Testifying as an Expert, April 9, 2007.	
	8	Motion for Protective Order to Preclude Plaintiffs from Offering Evidence That Defendant's Actions Subsequent to 2002 May Have Adversely Impacted Plaintiffs' Ability to Obtain a Patent for Plaintiffs' Alleged Concepts, April 9, 2007.	
	9	Complaint, April 9, 2007.	
	10	Plaintiff's Disclosure of Rebuttal Expert Witness, April 5, 2007.	
	11	Plaintiff's Supplemental Opposition to ISI's Motion to Preclude the Testimony of Anthony P. Dello, April 4, 2007.	
	12	Court Transcript, April 4, 2007.	
	13	Defendant's Disclosure of Expert Witnesses Jordan Rotheiser, Devo Seereeram and George Tchobanoglous, March 26, 2007.	
	14	Court Transcript, March 23, 2007.	
	15	Defendant's Motion to Preclude the Testimony of Anthony P. Delio, March 20, 2007.	
	16	Plaintiff's Opposition to Defendant's Motion to Compel, March 14, 2007.	
	17	Defendant's Memorandum of Law in Support of its Motion to Compel, March 2, 2007.	
	18	Plaintiff's Disclosure of Expert Witnesses, March 1, 2007.	

Examiner Signature		Date Considered	18 Sept. 2007

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JUL 25 2007
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/677,772
Filing Date	10/01/2003
First Named Inventor	SWISTAK, D
Art Unit	3671
Examiner Name	MAYO, J
Attorney Docket Number	2313

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
JKM	71	U.S. ARMY CORPS OF ENGINEERS "Drainage and Erosion Control" PART XIII, CHAPTER 2" (JUNE 1955) 36 pages	
	72	CEDEGREN, H.R "Septage, Drainage, and Flow Nets" WILEY & SONS (1988) Pg 154 to 157	
	73	US BUREAU OF RECLAMATION "Design of Small Dams" (1973) pg 234-236	
	74	ASTM INTERNATIONAL STANDARD D5092-04 "Standard Practice for Design and Installation of Ground Water	
	X	Monitoring Wells" (2004) 16 pages	
JKM	75	Defendant's Motion for a Stay, April 12, 2007, 148 pages	

Examiner Signature	JKM	Date Considered	18 Sept. 2007

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